

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:06-CR-46-BR-1

UNITED STATES OF AMERICA,)
)
)
) ORDER
)
v.)
)
PAUL LONDON NEWKIRK)
)

This matter is before the court on defendant's letter dated 3 December 2018. (DE # 71.) In the letter defendant requests that the court reduce or "expunge[]" the fine imposed. To the extent this letter could be deemed a motion, it will be denied for the following reasons.

As part of defendant's sentence in 2006, the court imposed a fine of \$10,900, payable in full immediately, and made payment of any unpaid balance of the fine a condition of defendant's supervised release. (J., DE # 28, at 4, 6, 7.) Defendant has apparently attempted to pay the fine during his incarceration by occasionally working in UNICOR. (See Mot., DE # 71.) According to the United States Probation Office, the fine balance is \$10,800. (Mem., DE # 76, at 2.) Defendant's release from incarceration is currently scheduled for 22 May 2019. Federal Bureau of Prisons Inmate Locator, <https://www.bop.gov/inmateloc/> (search BOP Register Number 50358-056) (last visited Mar. 28, 2019).

As the court recognized in an earlier order addressing a similar request by defendant, the court may modify a fine in very limited circumstances, none of which are applicable here. (See 7/17/15 Order, DE # 64, at 1-2.) After his release from incarceration, defendant can discuss with his supervising probation officer his financial circumstances and his ability to pay the fine while on supervised release. However, at this time, the court is without authority to modify, let alone

terminate, defendant's fine. Accordingly, the motion is DENIED.

This 17 April 2019.



W. Earl Britt
Senior U.S. District Judge